

No. 23629

**BELGIUM
and
HUNGARY**

**Convention in the field of legal information. Signed at
Budapest on 5 September 1983**

*Authentic texts: French, Dutch and Hungarian.
Registered by Belgium on 19 November 1985.*

**BELGIQUE
et
HONGRIE**

**Convention dans le domaine de l'information juridique.
Signée à Budapest le 5 septembre 1983**

*Textes authentiques : français, néerlandais et hongrois.
Enregistrée par la Belgique le 19 novembre 1985.*

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE KINGDOM OF BELGIUM AND THE HUNGARIAN PEOPLE'S REPUBLIC IN THE FIELD OF LEGAL INFORMATION

His Majesty the King of the Belgians and the Presidential Council of the Hungarian People's Republic,

Desiring to promote the ties of friendship and co-operation between the two States in accordance with the Final Act of the Conference on Security and Co-operation in Europe,²

Desiring to strengthen legal co-operation between the two States,

Convinced that the establishment of a system of mutual assistance to facilitate the securing of information by the legal authorities of one Contracting Party, on the law of the other Contracting Party, will contribute to the attainment of that objective,

Have decided to conclude this Convention and for this purpose have appointed as their plenipotentiaries:

His Majesty the King of Belgians: His Excellency Mr. Jean Gol, Deputy Prime Minister and Minister of Justice,

The Presidential Council of the Hungarian People's Republic: His Excellency Mr. Imre Markoja, Minister of Justice,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

Article 1. SCOPE OF THE CONVENTION

In accordance with the provisions of this Convention, the Contracting Parties undertake to provide each other with information concerning their law and procedure in civil and criminal matters, and their judicial organization.

For the purposes of the implementation of this Convention, civil matters shall be understood to refer to family law, commercial law and labour law.

Article 2. BODIES RESPONSIBLE FOR LIAISON

Information shall be exchanged between the Belgian Ministry of Justice, on the one hand, and the Ministry of Justice or the Office of the Public Prosecutor of the Hungarian People's Republic, on the other hand.

Article 3. AUTHORITIES EMPOWERED TO REQUEST INFORMATION

The request for information must emanate from a judicial authority, which may undertake the authority empowered to take a decision on requests for legal assistance.

A request may be formulated only in respect of proceedings already under way or scheduled.

¹ Came into force on 23 August 1985, i.e., 30 days after the exchange of the instruments of ratification, which took place at Brussels on 24 July 1985, in accordance with article 12.

² *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

Article 4. CONTENT OF THE REQUEST FOR INFORMATION

1. The request for information must indicate the authority from which it emanates and the nature of the case. It must specify as precisely as possible the points regarding which information is being requested.

2. The request shall be accompanied by a statement of the facts necessary to ensure that it is fully understood and to facilitate the formulation of an exact and precise reply; copies of documents may be attached if they are needed to clarify the import of the request.

3. The request may also cover points relating to matters other than those mentioned in article 1 where such points have a bearing on the major points of the request.

Article 5. CONTENT OF THE REPLY

The purpose of the reply shall be to provide the requesting authority with objective and impartial information regarding the law of the requested Party. The reply shall, where appropriate, include legislative and regulatory texts and Court decisions. Where such is deemed necessary in order to ensure that the requesting authority is adequately informed, it shall include additional documents such as extracts from works on legal theory and preparatory works. It may also be accompanied by explanatory commentaries.

Article 6. EFFECTS OF THE REPLY

The information contained in a reply shall not be binding on the requesting judicial authority.

Article 7. EXCEPTIONS TO THE OBLIGATION TO REPLY

The requested Party may refuse to act on a request for information where its interests are affected by the case in respect of which information has been requested or where it considers that the reply might jeopardize its sovereignty or security.

Article 8. TIME-LIMIT FOR THE REPLY

The reply to a request for information must be provided as rapidly as possible. However, where a long time is required for its preparation, the requested authority shall so advise the requesting authority indicating, if possible, the date on which the reply will be communicated.

Article 9. GENERAL EXCHANGE OF INFORMATION

The foregoing provisions shall not jeopardize the right of the authorities referred to in article 2 to provide each other with information regarding their respective legislation.

Article 10. LANGUAGES

The request for information and its annexes shall be accompanied by a translation into the official language or one of the official languages of the requested Party or into the French language.

The reply shall be drafted in the official language or one of the official languages of the requested Party. If so requested by the requesting authority, the reply shall, if possible, be accompanied by a translation into the French language.

Article 11. COSTS

The reply shall not give rise to reimbursement of costs of any kind.

FINAL PROVISIONS

Article 12

This Convention shall be ratified and shall enter into force 30 days following the exchange of the instruments of ratification, which shall take place at Brussels.

Article 13

1. This Convention shall be concluded for an unlimited period.
2. This Convention may be denounced. The denunciation shall take effect six months after the date of notification thereof.

DONE at Budapest, on 5 September 1983, in two copies, each in the Dutch, French and Hungarian languages, the various language versions being equally authentic.

For His Majesty
the King of the Belgians:

[JEAN GOL]

For the Presidential
Council of the Hungarian
People's Republic:

[IMRE MARKOJA]
